

## **EXHIBIT B-6**

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2 IN THE UNITED STATES BANKRUPTCY COURT  
3 FOR THE DISTRICT OF DELAWARE

4 -----x Chapter 11

5 In re: ) Case Nos. 00-3299 (MFW)  
6 CORAM HEALTHCARE CORP. ) through 00-3300 (MFW)  
7 and CORAM, INC., ) (Jointly Administered  
8 Debtors. ) Under Case No.

9 -----x 00-3299 (MFW))

10 February 27, 2003

11 9:38 a.m.

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13 Deposition of DANIEL D. CROWLEY, held at  
14 the law offices of Weil, Gotshal & Manges LLP, 767  
15 Fifth Avenue, New York, New York, pursuant to  
16 notice and agreement, before Donald R. DePew, an  
17 RPR, CRR and Notary Public within and for the  
18 State of New York.

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<p style="text-align: right;">6</p> <p>1 follows: 2 EXAMINATION BY 3 MR. LEVY: 4 Q. Mr. Crowley – 5 MR. MILLER: Richard, point of order, 6 please. 7 MR. LEVY: Yes, sir. 8 MR. MILLER: You said you didn't know 9 if Don Liebenritt was the chairman. I 10 recall you telling the Court he was the 11 chairman of the committee; has there been a 12 change? 13 I'd just like to know who the client 14 is. 15 MR. LEVY: I don't know that he is the 16 chairman and your statement doesn't refresh 17 my recollection. I'll be happy to straighten 18 out with you whether he is the chairman or 19 not, Alan. I'm not trying to keep it from 20 you. I just don't know at this point. 21 MR. MILLER: I know you wouldn't try to 22 hide anything, so thank you. 23 MR. LEVY: You're welcome. 24 BY MR. LEVY: 25</p>	<p style="text-align: right;">8</p> <p>1 Crowley 2 MR. LEVY: Yes, objection by one is an 3 objection but for all. 4 Q. What documents did you look at? 5 A. The materials that had been provided by 6 me to respond to the subpoena by yourself. 7 Q. About how many documents were those? 8 A. Several. 9 Q. Hundred? 10 A. I don't recall. 11 Q. Sir, we've got, I believe, 1300 12 numbered pages with the Bates symbol CRX on it, 13 meaning it had been produced by you; is that the 14 approximate number you looked at yesterday? 15 A. No. 16 Q. About what part of that 1300 did you 17 look at? 18 A. 25, 50, something in that neighborhood. 19 Q. This was yesterday, right, yes? 20 A. Yes. 21 Q. Can you describe to me any of the 22 documents you looked at? 23 Name one. 24 A. Correspondence between myself and my 25 attorney as to a draft letter that was part of</p>
<p style="text-align: right;">7</p> <p>1 Crowley 2 Q. Mr. Crowley, did you spend some time 3 preparing for this deposition? 4 A. Yes. 5 Q. Was any of that time spent with any 6 person present, other than your attorney, 7 Mr. Ward, or your attorney, Mr. Schreiber? 8 A. Yes. 9 Q. Who? 10 A. Counsel for the trustee. 11 Q. Who? 12 A. Principally, Mr. Kipnes. 13 Q. How much time did you spend with 14 Mr. Kipnes preparing for this deposition? 15 A. A couple of hours. 16 Q. When? 17 A. Yesterday. 18 Q. Yesterday? 19 A. Yes. 20 Q. During the course of that preparation 21 did you look at any documents? 22 A. Yes. 23 Q. What documents did you look at? 24 MR. GODNICK: Objection. 25 MR. MILLER: The same stipulation?</p>	<p style="text-align: right;">9</p> <p>1 Crowley 2 your brief to the court. 3 Q. The letter dated May 6th about? 4 A. About that date. 5 It was two versions of the letter that 6 was one letter, yes. 7 Q. During your meeting in preparation in 8 which Mr. Kipnes was present at who said let's 9 discuss this document? 10 Whose idea was it? 11 A. My counsel. 12 MR. WARD: Objection. 13 The attorneys have a joint interest in 14 this and I think that is covered by 15 privilege. 16 Q. I'm sorry. 17 A. I don't understand the procedure when 18 someone objects, am I just – 19 MR. WARD: I think who said what to 20 whom in this meeting would be privileged. 21 Mr. Kipnes represents the trustee. 22 Mr. Crowley is an employee of the trustee. 23 And I think in this particular proceeding 24 there is a joint interest. 25 MR. LEVY: Are you going to instruct</p>

<p style="text-align: right;">10</p> <p>1 Crowley</p> <p>2 the witness not to answer?</p> <p>3 MR. WARD: I will instruct him not to</p> <p>4 answer as to conversations between and among</p> <p>5 himself and the attorneys that were present</p> <p>6 at this session.</p> <p>7 MR. GODNICK: I would note for the</p> <p>8 record, in accordance with Federal Rule of</p> <p>9 Evidence 612, Mr. Levy doesn't necessarily</p> <p>10 have a definitive right to know the documents</p> <p>11 that were shown to Mr. Crowley during the</p> <p>12 course of his preparation, that is a product</p> <p>13 of the counsel's work product, and therefore,</p> <p>14 he's not necessarily entitled to invade that</p> <p>15 privilege.</p> <p>16 MR. LEVY: That rule relates to a zone</p> <p>17 council.</p> <p>18 Anyway, we're past that, he's told us.</p> <p>19 Mr. Kipnes, do you adopt the position</p> <p>20 on behalf of the trustee that you have a</p> <p>21 joint interest and have a privilege?</p> <p>22 MR. KIPNES: We do.</p> <p>23 MR. LEVY: Is there a written agreement</p> <p>24 between counsel regarding this joint</p> <p>25 interest, Mr. Ward?</p>	<p style="text-align: right;">12</p> <p>1 Crowley</p> <p>2 A. I work for the trustee, yes.</p> <p>3 Q. Just so we make a record here, just let</p> <p>4 me ask you this: What did Mr. Kipnes tell you or</p> <p>5 say to you about the May 6th or May 8th document</p> <p>6 that you discussed?</p> <p>7 MR. WARD: Objection to the extent it</p> <p>8 calls for any recounting of any statements</p> <p>9 made to or by the witness in this conference</p> <p>10 with counsel, covered by the joint privilege.</p> <p>11 Q. Do you refuse to answer, sir?</p> <p>12 MR. WARD: I instruct the witness not</p> <p>13 to answer.</p> <p>14 MR. LEVY: Can we agree, if I were to</p> <p>15 ask additional questions about what went on</p> <p>16 at that meeting you'd give the same</p> <p>17 instruction?</p> <p>18 MR. WARD: I would.</p> <p>19 MR. SCHREIBER: It depends on the</p> <p>20 questions, I think.</p> <p>21 MR. WARD: If you take the question to</p> <p>22 relate to conversations that took place</p> <p>23 between and among the attorneys and the</p> <p>24 witness at that meeting, I can inform you</p> <p>25 there were no other nonattorneys at the</p>
<p style="text-align: right;">11</p> <p>1 Crowley</p> <p>2 MR. WARD: I'm not aware of a written</p> <p>3 agreement.</p> <p>4 MR. LEVY: Mr. Ward, would you tell me</p> <p>5 whether there was ever a verbal agreement</p> <p>6 with respect to that.</p> <p>7 MR. WARD: This particular matter was</p> <p>8 specifically discussed among counsel and I</p> <p>9 take that to be an agreement between counsel</p> <p>10 that we are exercising a joint privilege with</p> <p>11 respect to this motion, in which the trustee</p> <p>12 is the movant and his employee is the</p> <p>13 witness.</p> <p>14 BY MR. LEVY:</p> <p>15 Q. Mr. Crowley, do you view yourself as an</p> <p>16 employee of the trustee in this case?</p> <p>17 MR. WARD: Objection to the extent it</p> <p>18 calls for a legal conclusion.</p> <p>19 You can answer.</p> <p>20 A. I am a subordinate of the Chapter 11</p> <p>21 trustee.</p> <p>22 Q. Sir, that was not my question.</p> <p>23 Do you view yourself as an employee of</p> <p>24 the trustee in a layman's sense?</p> <p>25 MR. WARD: Same objection.</p>	<p style="text-align: right;">13</p> <p>1 Crowley</p> <p>2 meeting.</p> <p>3 And I suppose if you ask him whether he</p> <p>4 had a cup of coffee, that may not be</p> <p>5 objectionable. But I take your question to</p> <p>6 be what were the discussions between and</p> <p>7 among the counsel and the witness.</p> <p>8 MR. LEVY: Correct.</p> <p>9 MR. WARD: On that basis he is</p> <p>10 instructed not to answer.</p> <p>11 MR. LEVY: Mr. Ward, would you also</p> <p>12 tell me when this joint privilege that you're</p> <p>13 alleging came into being?</p> <p>14 MR. WARD: As a legal matter, it came</p> <p>15 into being the moment the motion was filed</p> <p>16 and the witness was noticed for a deposition.</p> <p>17 It was specifically discussed among counsel</p> <p>18 at the beginning of the meeting we are</p> <p>19 discussing from yesterday. There were also,</p> <p>20 I believe, some other discussions, but that's</p> <p>21 the one I'm personally aware of.</p> <p>22 Q. Did you have any discussions at which</p> <p>23 Mr. Kipnes or Mr. Bressler were present concerning</p> <p>24 this motion prior to yesterday?</p> <p>25 A. No.</p>